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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/634,360	08/05/2003	Albert Elcock	D3112	8914

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Caroline Coker  
Motorola, Inc. - Law Department  
101 Tournament Drive  
Horsham, PA 19044

EXAMINER

BANTAMOI, ANTHONY

ART UNIT	PAPER NUMBER
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4115

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10/23/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/634,360	<b>Applicant(s)</b> ELCOCK ET AL.	
	<b>Examiner</b> Anthony Bantamoi	<b>Art Unit</b> 4115	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 05 August 2003.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

**DETAILED ACTION**

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-24 are rejected under 35 U.S.C. 102(b) as being anticipated by Anderson et al (U.S. Patent 6,005,631), hereinafter referenced as Anderson.

Regarding claim 1, Anderson discloses methods and apparatus for organizing and searching electronic program guide, which reads on "An end user device for receiving an electronic program guide from a head end, said end user device comprising:

data entry interface for receiving an input of a program request; memory for receiving said electronic program guide from said head end; and search means for searching said electronic program guide for said program request, wherein if said program request is not in said memory, said search means sends said program request to said head end" in addition Anderson discloses the block diagram a home communication terminal for receiving electronic program guide (EPG) data in a communication network including a head end, which reads on "An end user device for receiving an electronic program guide from a head end" (figures 2, 4A, and 4B), in addition Anderson discloses and infra red receiver (IR receiver)(124) that allows user to manipulate the EPG via the communication unit interface by remote control(126), which reads on "said end user

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device comprising: data entry interface for receiving an input of a program request” (figure 4A, items 124, 126), in addition Anderson discloses a dynamic random access memory (DRAM) (137) for storing the EPG, which reads on “memory for receiving said electronic program guide from said head end” (figure 4B), in addition Anderson discloses a method wherein a user can search EPG based on set criteria, which reads on “and search means for searching said electronic program guide for said program request” (column 2, lines 21-23), in addition Anderson discloses a cable headend (12) coupled to a subscriber communication terminal (14) allowing two way communication between headend and communication unit, which reads on “wherein if said program request is not in said memory, said search means sends said program request to said head end” (figure 2).

Regarding claim 2, Anderson discloses everything as above (see claim 1), in addition an IR receiver (124) coupled to the communication terminal (14), which reads on “wherein said data entry interface comprises at least one of a radio frequency receiver to receive a signal from a wireless remote control, an infrared receiver to receive a signal from a wireless remote control, an universal serial bus interface, or keyboard interface” (figure 3, item 14 and figure 4A, item 124).

Regarding claim 3, Anderson discloses everything as above (see claim 1), in addition Anderson discloses a data port (140), which reads on “The end user device of claim 1 further comprising a data port” (figure 4B, item 140).

Regarding claim 4, Anderson discloses everything as above (see claim 3), in addition discloses a data port (140) in a cable television network, which reads on “The

end user device of claim 3, wherein said data port comprises at least one of a universal serial bus interface, a firewire interface, an Ethernet interface, a coaxial cable interface, or an optical interface" (figure 4B, item 140).

Regarding claim 5, Anderson discloses methods and apparatus for organizing and searching electronic program guide, which reads on "A head end for receiving a program request from an end user device, said head end comprising: a first memory for storing an electronic program guide, said electronic program guide being sent from said first memory to said end user device; and a second memory for receiving a program request from said end user device" in addition Anderson discloses a headend (12) for handling requests from subscribers for services such as video-on-demand (VOD), which reads on "A head end for receiving a program request from an end user device " (figure 3, items 12, 16), in addition Anderson discloses a headend (12) comprising video servers and storage mediums which receive the electronic program guide (EPG) data from the EPG data provider (16), which reads on "said head end comprising: a first memory for storing an electronic program guide, said electronic program guide being sent from said first memory to said end user device" (figure 3, items 12, 16), in addition Anderson discloses a headend (12) comprising storage mediums for storing EPG data and handling requests from subscribers, which reads on "a second memory for receiving a program request from said end user device" (figure 3, items 12, 16).

Regarding claim 6, Anderson discloses everything as above (see claim 5), in addition Anderson discloses a headend (12), comprising video servers containing

storage mediums to store and modify the electronic program guide (EPG) data from the EPG data provider (16) and upstream requests made by subscriber for services like video-on-demand (VOD) and transmits requested content downstream to subscriber, which reads on "The head end comprising an interactive server, said interactive server receiving said program request not in said electronic program guide from said end user device, said interactive server selectively adding said program request to one of said electronic program guide or extended database schedule in response to the quantity of cumulative requests for said program request not in said electronic program guide" (figure 3, items 12, 16).

Regarding claim 7, Anderson discloses everything as above (see claim 5), in addition Anderson discloses a headend (12) capable of communicating with other headends in the same cable TV network, comprising video servers containing storage mediums to store and update EPG data from the EPG data provider (16) which contains EPG data base, the servers process upstream requests made by subscriber for services like video-on-demand (VOD) and transmits requested content downstream to subscriber, which reads on "further comprising an interface for communicating with an external interactive server, said external interactive server receiving said program request not in said electronic program guide from said head end, and selectively adding said program request to one of said electronic program guide or extended database schedule in said head end in response to the quantity of cumulative requests for said program request not in said electronic program guide" (figure 3, items 12, 16).

Regarding claim 8, Anderson discloses methods and apparatus for organizing and searching electronic program guide, which reads on "A system for an interactive electronic program guide, said system comprising: an end user device, said end user device receiving a program request to query an electronic program guide; and a head end coupled to said end user device, said head end supplying an electronic program guide to said end user device, said end user device searching said electronic program guide for said program request, wherein if said program request is not in said electronic program guide said end user sends said program request to said head end" in addition Anderson discloses an apparatus for searching an electronic program guide (EPG) , which reads on "A system for an interactive electronic program guide" (column 1, lines 17-19), in addition Anderson discloses a subscription terminal (14) that allows user to interact with the EPG via remote control, which reads on "said system comprising: an end user device, said end user device receiving a program request to query an electronic program guide" (figure 2, item 14), in addition Anderson discloses a headend (12) connected to subscription terminal (14) and the electronic program guide (EPG) provider (16) wherein the headend contains servers and storage mediums to store the electronic program guide (EPG) data provided by EPG data provider (16) and also transmit EPG data to subscription terminal (14) which has the ability to search EPG data based on given criteria, which reads on "and a head end coupled to said end user device, said head end supplying an electronic program guide to said end user device, said end user device searching said electronic program guide for said program request, wherein if said program request is not in said electronic program guide said end user

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sends said program request to said head end" (column 2, lines 21-23 and figure 2, items 12, 14, 16).

Regarding claim 9, Anderson discloses everything as above (see claim 8), in addition discloses the detail structure of the communication terminal (14) comprising a microprocessor (128) which allows user to interact with the electronic program guide (EPG), which reads on "wherein said end user device comprises: a processor, said processor managing interaction with said electronic program guide" (figure 3, item 14 and figure 4B, item 128), in addition Anderson discloses tuner controller (102) connected to the microprocessor (128), which reads on "a tuner coupled to said processor, said tuner receiving said program in said request" (figure 4A, item 102 and figure 4B, item 128), in addition Anderson discloses a microprocessor (128) connected to and an EROM/FLASH (134) for storing EPG data, which reads on "and one or more storage devices coupled to said processor, said one or more storage devices storing an electronic program guide and a list of a plurality of said program requests not in said electronic program guide" (figure 4B, items 128, 134).

Regarding claim 10, Anderson discloses everything as above (see claim 9), in addition Anderson discloses an infrared receiver (IR receiver) (124) connected to the microprocessor (128), which reads on "further comprising an input port coupled to said processor" (figure 4A, items 124 and figure 4B, item 128).

Regarding claim 11, Anderson discloses everything as above (see claim 10), in addition Anderson discloses an infrared receiver (IR receiver) (124), which reads on "wherein said input port comprises at least one of a radio frequency receiver to receive



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a signal from a wireless remote control, an infrared receiver to receive a signal from a wireless remote control, an universal serial bus interface, or keyboard interface" (figure 4A, item 124).

Regarding claim 12, Anderson discloses everything as above (see claim 9), in addition Anderson discloses the detail structure of a communication terminal (14) comprising a data port (140), which reads on "wherein said end user device further comprises a data port" (figure 3, item 14 and figure 4B, item 140).

Regarding claim 13, Anderson discloses everything as above (see claim 12), in addition Anderson discloses a data port (140) connected to a cable television network, which reads on "wherein said data port comprises at least one of a universal serial bus interface, a firewire interface, an Ethernet interface, a coaxial cable interface, or an optical interface" (figure 4B, item 140, column 1, lines 25-29).

Regarding claim 14, Anderson discloses everything as above (see claim 8), in addition Anderson discloses a headend controller (28) which is a server that receives information from user or another server and formats it to be transmitted down stream to the communication terminals (14), which reads on "wherein said head end comprises an interactive server, said interactive server receiving said program request not in said electronic program guide from said end user device, said interactive server selectively adding said program request to one of said electronic program guide or extended database schedule in response to the quantity of cumulative requests for said program request not is said electronic program guide" (column 3, lines 50-53, figure 3 , items 14, 28).

Regarding claim 15, Anderson discloses everything as above (see claim 8), in addition Anderson discloses a cable headend coupled to an electronic program guide (EPG) data provider (16) which provides updates of the electronic program guide (EPG) data to the headend (12), which reads on "further comprising an external interactive server, said external interactive server receiving said program request not in said electronic program guide from said head end, and selectively adding said program request to one of said electronic program guide or extended database schedule in said head end in response to the quantity of cumulative requests for said program request not is said electronic program guide" (figure 2, items 12, 16).

Regarding claim 16, Anderson discloses everything as above (see claim 8), in addition Anderson discloses a television (20) connected to a communication terminal (14), which reads on "further comprising a monitor display coupled to said end user device" (figure 3, items 14, 20).

Regarding claim 17, Anderson discloses everything as above (see claim 8), in addition Anderson discloses a television (20) connected to a communication terminal (14), which reads on "further comprising a television display coupled to said end user device" (figure 3, items 14, 20).

Regarding claim 18, Anderson discloses everything as above (see claim 8), in addition Anderson discloses a computer (22) connected to a communication terminal (14), which reads on "further comprising a personal computer coupled to said end user device" (figure 3, items 14, 22).

Regarding claim 19, Anderson discloses everything as above (see claim 8), in addition Anderson discloses a television (20) connected to a communication terminal (14), which reads on "further comprising a audio output device coupled to said end user device" (figure 3, items 14, 20).

Regarding claim 20, Anderson discloses methods and apparatus for organizing and searching electronic program guide, which reads on "A method for providing an interactive electronic program guide, said method comprising: receiving a program request; querying an electronic program guide for said request; supplying a result of said request, wherein said result provides a matched indication, said matched indication providing a next broadcast time period in said electronic program guide for said request; or a miss indication, said miss indication providing data indicating that said request was not found in said electronic program guide; and selectively adding said request of said miss indication to at least one of said electronic program guide or extended database in response to a quantity of said miss indications for said request", in addition Anderson discloses a method for searching an electronic program guide (EPG), which reads on "a method for providing an interactive electronic program guide" (column 1, lines 17-19), in addition Anderson discloses a communication terminal (14) which allows user to select a program from the electronic program guide (EPG), which reads on "said method comprising receiving a program request" (figure 3, item 14), in addition Anderson discloses a communication terminal that searches the electronic program guide, which reads on "querying an electronic guide for said requests" (figure 3, item 14), in addition Anderson discloses a method wherein the subscriber searches the electronic program

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guide based on criteria and if match found the program will be added to the electronic program guide and displayed on the TV screen including the date and time information of the program airing, which reads on “supplying a result of said request, wherein said result provides a matched indication, said matched indication providing a next broadcast time period in said electronic program guide for said request” (column 2, lines 21-25 and figure 5), in addition Anderson discloses a communication terminal (14) that will search and display a program or alert user and headend (12) if program not found and search is complete, which reads on “or a miss indication, said miss indication providing data indicating that said request was not found in said electronic program guide” (figure 2, items 12, 14), in addition Anderson discloses a headend (12), comprising video servers containing storage mediums to store and modify the electronic program guide (EPG) data from the EPG data provider (16) based on a certain criteria, which reads on “and selectively adding said request of said miss indication to at least one of said electronic program guide or extended database in response to a quantity of said miss indications for said request” (figure 3, items 12, 16).

Regarding claim 21, Anderson discloses everything as above (see claim 20), in addition Anderson disclose a keyboard (122) coupled to the communication terminal (14) for user input, which reads on “further comprising the step of receiving said request from at least one of a wireless remote control, a universal serial bus port interface, a keyboard, a firewire interface, an Ethernet interface” (figure 3, item 14 and figure 4A, item 122).

Regarding claim 22, Anderson discloses everything as above (see claim 20), in addition Anderson discloses method of updating the electronic program guide after a search request, which reads on "further comprising a step of updating said electronic program guide" (column 13, lines 38-44).

Regarding claim 23, Anderson discloses everything as above (see claim 20), in addition Anderson discloses method of updating the electronic program guide after a search request, which reads on "further comprising a step of updating said extended database" (column 13, lines 38-44).

Regarding claim 24, Anderson discloses everything as above (see claim 20), in addition Anderson discloses a method by which the headend (12) receives electronic program guide data (EPG data) from the EPG data provider (16) via satellite (40), which reads on "further comprising the step of receiving said electronic program guide" (column 3, lines 35-38) and is exhibited in figure 3.

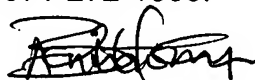
### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anthony Bantamoi whose telephone number is 571 270 3581. The examiner can normally be reached on MON.-FRI. 7:30-5:00 EST..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jefferey Harold can be reached on 571 272 7519. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Anthony Bantamoi  
Examiner  
Art Unit 4115

AB

  
RYAN YANG 10/22/07  
PRIMARY EXAMINER